

REMARKS

Claims 12 – 32 are now pending in the application. Claims 1 – 11 have been cancelled. Applicant notes that cancelled claims 1 – 11 were provided in European Patent Application format including reference numerals. As such, new claims 12 – 32 have been written in format according to acceptable U.S. practice. Likewise, a replacement Abstract has been submitted according to acceptable U.S. practice. The Examiner is respectfully requested to reconsider and withdraw the rejection(s) in view of the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 112

Claims 2 – 11, are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Examiner states that claims 2 – 11 recite “A” instead of “The”. Further the Examiner states that the word “Claim” should not be capitalized.

Applicant notes that claims 2 – 11 have been cancelled. Further, the newly submitted defendant claims have been written according to the Examiner’s instruction.

REJECTION UNDER 35 U.S.C. § 102 AND § 103

Claims 1 and 6 – 7 stand rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Pat. No. 5,007,205 (Farmerie). Claims 1 – 5, 8 – 9 and 11 stand rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Pat. No. 3,535,829 (Dudek). Claims 1 – 5, 8 – 9 and 11 stand rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Pat.

No. 3,566,548 (Beckering). Claim 10 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Beckering.

At the outset, Applicant notes that new claims 12 – 32 have been provided to more clearly define the instant invention. Claims 12, 22 and 29 are independent claims. Specifically, claim 12 provides a belt sander comprising: a body element; a driven roller arranged proximate said body element; a non-driven roller arranged proximate said body element; and a motor contained within said driven roller and operable to provide rotatable motion to said driven roller.

In addition, claim 22 provides a belt sander comprising: a body element; a non-driven roller arranged proximate said body element; and an electric motor having a stator and a rotor drum, said rotor drum defining a driven roller arranged proximate said body element, said electric motor operable to provide rotatable motion of said rotor drum around said stator.

Further, claim 29 provides a belt sander comprising: a body element; a non-driven roller arranged proximate said body element; an electric motor having a stator and a rotor drum, said rotor drum defining a driven roller arranged proximate said body element, said electric motor operable to provide rotatable motion of said rotor drum around said stator; a belt supported around said non-driven roller and said driven roller; and a casing arranged between said non-driven roller and said driven roller, said casing comprising an adjustment mechanism communicating with one of said non-driven roller and said driven roller, said adjustment mechanism operable to change a distance defined between said non-driven roller and said driven roller.

Applicant respectfully asserts that the art of record alone, or in combination, fails to teach or suggest such features.

Farmerie at best discloses a belt sander 10 having a mechanism for providing belt tension to a belt drive. A lever 28 is adapted to rotate clockwise about a pivot screw 24. A cam 40 bears against a rolling element 28 to push the rolling element 28 and a finger 36 downwardly to move a yoke 22 downwardly (FIGS. 2 – 4). Clockwise motion of the lever 28 takes tension off the sandpaper belt and permits changing of a belt. The belt sander 10 of Farmerie does not disclose a power source arrangement.

Dudek at best discloses a belt cleaner arrangement for a belt sander 10 having a frame 12. The frame 12 supports a pair of revolvable drums or pulleys 26 and 28 and a flexible sanding belt 30. An electric motor 22 has an armature 48 and a commutator 50 carried on a shaft 24 with a field 52 disposed in superposition to the armature 50. A motor shaft 24 carries a toothed pulley 32 (FIGS. 1 – 4) which drives a timing belt 34. The other end of the timing belt 34 drives a toothed pulley 36 suitably mounted to the frame 12 by a stub shaft 38. The stub shaft 38 carries a pinion 39 which meshes with and drives a gear 40 fixed for rotation with the driving drum 28.

Beckering at best discloses a belt sander including a housing 13. A motor 17 is positioned within the housing 13 (FIG. 3). The motor 17 is drivingly interconnected to a drive pulley 23 positioned within the housing 13. An idler pulley 25 is also positioned within the housing 13 and is disposed forwardly of the motor 17. An endless belt 27 is entrained over the pulleys 23, 25. The belt 27 moves with rotation of the drive pulley 23. The drive pulley 23 includes a friction sleeve 28 mounted thereon for turning the idler pulley 25.

The present invention is distinct from the art of record. The belt sander of the present invention obviates the need for additional driving mechanisms such as pulleys or other arrangements that may include toothed belts and cooperating wheel assemblies. The claimed invention according to claim 12 provides a motor contained within the driven roller. The claimed invention according to claims 22 and 29 provides an electric motor having a stator and a rotor drum, the rotor drum defining a driven roller.

In addition, the present invention provides a casing arranged between a driven and non-driven roller. The casing includes an adjustment mechanism adapted to change a distance between the driven and non-driven rollers. Incorporating the motor of the belt sander within the driven roller allows greater packaging flexibility for the casing and the belt sander as a whole. In one example, the adjustment mechanism may be arranged within the casing without competing with motor and/or pulley configurations.

In view of the foregoing, Applicant respectfully submits that the newly submitted claims 12 – 32 are in condition for allowance.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt

and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: 31/JAN/05

By: Brian D. Hollis
Brian D. Hollis, Reg. No. 51,075
Stephen T. Olson, Reg. No. 36,626

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

BDH:tdr